

DECLARATION OF WILLIAM SANDERS

I, William Sanders, am over 18 years of age and am competent to testify. I declare as follows:

1. I am a resident of Pasadena, Maryland.
2. I live with my partner and nine-year-old son.
3. I am a freelance musician and for about 20 years, until around March 2020, I was self-employed performing at various events. I also serve as a paid officer of the Musician's Association of Metropolitan Baltimore, Local 40-543.
4. Starting in March 2020, I had several cancellations and stopped getting new bookings because of the pandemic and related shutdown orders.
5. On or around April 24, 2020, I applied for unemployment benefits with the Maryland Department of Labor (MDL) using the BEACON portal.
6. I elected to receive all my communications from MDL via email, but MDL did not consistently communicate with me in that way.
7. Immediately after applying, I also started filing weekly certifications as needed to receive benefits. As part of these weekly certifications, I always reported the small amount of money – totaling a few hundred dollars per year – that I received as part of my work as a paid officer for Local 40-543.
8. I initially filed the weekly certifications online by completing “action items” that BEACON opened for me on my account. However, after about 3 weeks, BEACON stopped showing any “actions” that I could complete, and I was unable to file further weekly certifications.

EXHIBIT 6

9. I called and emailed MDL several times to report that BEACON was preventing me from filing weekly certifications and to inquire about the eligibility determination and payment of benefits. I did not receive any substantive response.

10. I also emailed multiple of my elected representatives, including Delegate Brian Chisholm and Senator Bryan Simonaire. Senator Simonaire assigned my inquiry to his “Unemployment Insurance Team.”

11. On May 28, 2020, I received correspondence from MDL stating that I was not eligible for regular UI but that I “may be” eligible for one of the federal unemployment insurance programs.

12. On June 26, 2020, I received correspondence stating that I was eligible for Pandemic Unemployment Insurance (PUA) in the amount of \$184/week, plus an additional \$600/week in the Federal Pandemic Unemployment Compensation (FPUC) supplement. I started receiving payments the same month, and I was also again able to file weekly certifications.

13. In August or September 2020, I noticed that MDL began reducing the amount of benefits it was paying as “overpayment offsets,” and during some weeks, I did not receive any benefits at all. I had not received any prior notice of an overpayment.

14. I called MDL to inquire about the deductions. Representatives told me that they would put in a “ticket” to resolve the issue, but nothing was resolved.

15. In September 2020, I saw an “action item” on the landing page of my BEACON account indicating that I had an overpayment of around \$8,000. It did not explain the basis for the overpayment or how I could appeal it. I clicked through on BEACON’s “correspondence” tab but did not receive any other correspondence with that information.

16. I tried to research what I could do about the overpayment. I reviewed guidance from the federal Department of Labor. I also posted a message about my overpayment on a Facebook group of several hundred or thousand Marylanders struggling to access unemployment benefits. Either through the DOL research or Facebook communications, I learned that I might be able to ask for a waiver of my overpayment.

17. On October 7, 2020, I submitted a request for an overpayment waiver to MDL by email, mail, and fax.

18. I kept receiving my benefits, with an overpayment offset, until on or around March 13, 2021.

19. On March 13, 2021, my BEACON account was frozen so that I was unable to file weekly certifications and I stopped receiving benefits altogether. I received no notice or explanation for the termination of my benefits or denial of access to BEACON.

20. I called MDL and, after several tries, eventually reached a representative. She told me that the problem was that I had submitted a scan instead of a photo of my identity documentation, and I needed to re-upload a photo of my license and Social Security Card. I took photos, and I had to use Adobe Acrobat Pro to reduce the file sizes so that I could successfully upload them into BEACON.

21. More than a month later, I received a letter from MDL dated May 6, 2021 indicating that my identity documents did not match, and I needed to re-submit them. I was able to confirm in a phone call with an MDL representative that this letter related to the initial freezing of my account in March, which I had since tried to address by uploading photos of my documentation in accordance with the instructions I had received from the agency.

22. In mid-May 2021, after I had gone without any income for about 9 weeks, I wrote to Maryland's US Senator, Ben Cardin, to describe how MDL had terminated my benefits without notice or explanation.

23. My BEACON account remained locked for about 3 months, until mid-June 2021. I tried to contact MDL several times by phone and the website "chat" function and was told repeatedly that my benefits were "on hold." An example of one of my chats is attached as Attachment A.

24. I also contacted Senator Simonaire's office again for help. I received a response which said "Recognizing the volume of inquiries the UI office is handling during this crisis, it may take 15 business days (three weeks) or longer to be contacted."

25. I tried to file my weekly certifications by phone during the period of the lockdown, but MDL's phone system did not allow me to do that. I was, however, able to file weekly certifications for previous weeks when I had not filed at the point that MDL unlocked the account.

26. In June 2021, after MDL finally unlocked my BEACON account, I resumed receiving some benefits payments. However, MDL deducted all or almost all of the amount of some payments – resulting in some payments of \$0 and some payments of only \$8 between April and June 2021 – to account for the alleged overpayment. In late June 2021, the overpayment amount displayed in BEACON was around \$2,000, although I still had not received any notice explaining the basis for the overpayment or how to challenge it, or any response to the overpayment waiver request that I submitted nearly a year prior, in October 7, 2020. I wrote to MDL twice towards the end of that month to remind them of the pending waiver request and ask that I be re-funded the money the agency had deducted from my benefits.

27. In mid-June 2021, MDL also posted notices indicating that all unemployment benefits recipients needed to reapply for benefits or their benefits would be terminated. I submitted a new application via BEACON in accordance with this instruction.

28. On July 19, 2021, I received a “statement of wages and monetary eligibility” which stated that I was eligible for \$0 in Regular UI.

29. I emailed with MDL several times over the summer of 2021 to try to resolve the continuing issues with the overpayment. In one of the emails, MDL stated: “I am writing to give you another update regarding your claim's issues. I do see that you are currently receiving payments through your pandemic unemployment assistance (PUA) claim. There are no eligibility issues in your beacon portal at this time. I do notice that you have an overpayment for the amount of \$1,050.00. We are waiting for the determination to be completed regarding that decision. Unfortunately, I do not have a time limit as to when that review will be completed.”

30. On September 2, 2021, MDL sent me a form via BEACON that I could use to request a waiver of my overpayment, even though I had already submitted an overpayment request nearly a year prior.

31. On September 9, 2021, MDL sent me correspondence via BEACON that indicated that the amount of my overpayment was now \$29,329 and reflected overpaid benefits for the weeks of August 1, 2020 through September 4, 2021. The notice stated “you have been determined to be overpaid because your claim was withdrawn.” I have no idea what that meant. This was the first actual correspondence regarding an overpayment, and I was shocked that the amount suddenly shot up from \$ to nearly \$30,000.

32. On September 14, 2021, I contacted an MDL agent via the online chat system to explain that I had not “withdrawn” my claim for benefits and asking about the basis of my

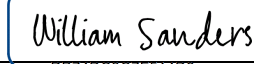
overpayment and the status of my waiver. The agent on the chat said they would look into the matter, but after an hour had not provided me with any information and stopped responding altogether. A transcript of the chat is attached as Attachment B.

33. I also continued to try to address the issue by email contact with MDL. On October 14, 2021, I received an email from an MDL agent that said: "I wanted to follow up with you to let you know that our overpayment team is still in review of your issue and we are taking the necessary steps to get your issue resolved. We thank you so much for your patience while we work to resolve this. I will continue to monitor this and provide you with any updates that I receive. Please let me know if you have any questions or concerns in the meantime." The agent included a waiver form, even though I had submitted a waiver request a year prior and had followed up on it multiple times since.

34. As of October 15, 2021, BEACON shows that I have an overpayment of \$35,000 which was issued without notice or an opportunity for me to be heard and which remains unresolved.

35. MDL's suspension of and reduction in my benefits to offset the alleged overpayment has meant that my family has not had enough income to pay our basic living expenses. We have had to rely on food pantries and Meals on Wheels to eat, and we have fallen behind on our rent. I also had to cut back on driving – even in connection with looking for new employment – because I cannot pay for gas. The experience has left me feeling very anxious and depressed.

I declare under penalty of perjury that the foregoing is true and correct.

DocuSigned by:

DB74DC3C7F514D9...
William Sanders

11/23/2021
Date

ATTACHMENT A



Chat with us



You will now be connected with a live chat agent. As a reminder, please do not refresh the page or click the back browser button.

12 Jun - 8:00 AM



You are now chatting with a live agent.

12 Jun - 8:00 AM



PLEASE PROVIDE FOR ASSISTANCE TODAY
NAME , FIRST AND LAST LAST 4 OF SSN
DATE OF BIRTH CLAMINAT ID >> STARTS
WITH NUMBER >>>> (1) AND HAS EIGHT
>>>>(8) NUMBERS

12 Jun - 8:00 AM

 William Sanders.



12 Jun - 8:00 AM



Hello I am Lyric ,with MDDOL. How my I assist you William?

12 Jun - 8:01 AM

Hi Lyric. I've had multiple tickets put in so that I can be paid. It has been many weeks



12 Jun - 8:01 AM



Chat with us

What is the status of my case?



12 Jun - 8:02 AM

Now that I had to reapply, I only have a blank screen in Beacon



12 Jun - 8:02 AM



One moment while I look over your claim

12 Jun - 8:03 AM



thank you kindly for your patience

12 Jun - 8:03 AM

Hi, are we still connected?



12 Jun - 8:15 AM



Yes I apologize the system is running really slow this morning

12 Jun - 8:16 AM

Thanks for confirming!



12 Jun - 8:17 AM



Chat with us



Pay my benefits via an unemployment debit card Claimant 6/10/2021 8:50 PM<<<<< this shows as your payment method right now, there is no updated method AFTER 06/10/2021, That will have to be re-entered, I fully understand you may have entered I do not see a bank name , nor routing/ account number list for this account. You also had some issues that were cancelled on your claim >>>>Issue 012 cancelled. >>>>>Issue 013 cancelled. which is a great thing for you

12 Jun - 8:17 AM



Request for Separation sent to Employer 47260000. <<<<< As well as this was sent to employer 06/10/2021 and awaiting a reply 8:09 AM you payments are not on hold but instead are "pending" I have sent the state agent processing your claim , a ticket for assistance as well

12 Jun - 8:17 AM

This is referring to all the payments owed to me since March?



12 Jun - 8:18 AM



starting week 03/13/2021 , correct

12 Jun - 8:19 AM



Chat with us

Ok, great. When will payment be disbursed for this?



12 Jun - 8:19 AM



I do not have that information check beacon for updates as well as you can call/chat us anytime for claim status

12 Jun - 8:20 AM

I entered the direct deposit info (for the 2nd time), two days ago. Beacon is now showing me a blank screen since last night. Would you be able to enter the bank info for me?



12 Jun - 8:21 AM



I am unable to assist I apologize, due to security reason we do not take bank account information

12 Jun - 8:22 AM



Chat with us

Understood. My Beacon shows a blank screen and only says "home maintenance." There are no options for me to click on. Is this a known issue?



12 Jun - 8:23 AM

I know I will have to enter a microdeposit amount very shortly



12 Jun - 8:23 AM

And there is nothing to click on



12 Jun - 8:23 AM



I understand fully

12 Jun - 8:24 AM



you will have to await completion of the review of your ID docs, W2

12 Jun - 8:25 AM



Chat with us

Ok, and just to confirm, there are no longer any issues preventing me from receiving the monies dating back to March? All the issues have been resolved?



12 Jun - 8:26 AM



Request for Separation sent to Employer 47260000. <<<<< As well as this was sent to employer 06/10/2021 and awaiting a reply 8:09 AM you payments are not on hold but instead are "pending" I have sent the state agent processing your claim , a ticket for assistance as well

12 Jun - 8:27 AM

Ok, the monies owed to me from March are PUA



12 Jun - 8:28 AM

Should have nothing to do with the employer question I was asked two days ago, right?



12 Jun - 8:28 AM



Chat with us



I fully understand you will have to await completion of this before ANY money is released,

12 Jun - 8:28 AM

The DLLR created a new issue to prevent me from getting paid what I was owed months ago?

12 Jun - 8:29 AM

With all due respect, this doesn't make any sense to me

12 Jun - 8:30 AM

This money has been owed to me since March and the DLLR continuously makes me go through one hoop after another.

12 Jun - 8:31 AM



Understood

12 Jun - 8:32 AM



Chat with us

The ticket you are submitting on my behalf today, what is this ticket for?



12 Jun - 8:32 AM



assistance with your claim

12 Jun - 8:32 AM

That's it? Nothing specific?



12 Jun - 8:33 AM



It is specific, it is in regard to your adjudication, your pending payments, your current tickets

12 Jun - 8:34 AM



current

12 Jun - 8:34 AM

Ok great. I would like to thank you for your time helping me this morning.



12 Jun - 8:34 AM



did you have other concerns today?

12 Jun - 8:35 AM



Chat with us

12 Jun - 8:34 AM



did you have other concerns today?

12 Jun - 8:35 AM

No, thank you. Have a great weekend.



12 Jun - 8:35 AM



you as well and be safe

12 Jun - 8:35 AM

I have no money and my family is hungry, but we will try our best.



12 Jun - 8:36 AM



The live agent has left the chat.

12 Jun - 8:36 AM



Was the live agent able to answer your unemployment benefit question?

Yes

No

12 Jun - 8:36 AM

ATTACHMENT B



You are now chatting with a live agent.

14 Sep - 1:31 PM



Good day, I am with the Maryland Division of Unemployment. One moment.

14 Sep - 1:31 PM

I read correspondence indicating that I was overpaid. It indicates that I "withdrew" from the program, which is not correct.



14 Sep - 1:32 PM

I submitted requests to waive any overpayment on September 2, June 29, June 15, and October 7.



14 Sep - 1:33 PM

Hello, are you still there?



14 Sep - 1:35 PM



I'll be happy to help with that, one moment.

14 Sep - 1:35 PM

Type your questions here



14 Sep - 1:35 PM



I am still here, my apologies, the system was moving a bit slow.

14 Sep - 1:49 PM

Thank you



14 Sep - 1:49 PM



Can you verify your address on file William?

14 Sep - 1:50 PM

7700 Colonial Beach RD
Pasadena MD 21122



14 Sep - 1:50 PM



Just so I understand, you are checking on the appeals you made regarding the overpayment?

14 Sep - 1:54 PM

Yes, and the fact that UI incorrectly said I withdrew my claim to trigger a huge overpayment.



14 Sep - 1:55 PM

Type your questions here





I would like for you to fix that, if this is possible

14 Sep - 1:55 PM



I will check on that for you, one moment.

14 Sep - 2:00 PM



Thank you

14 Sep - 2:00 PM




I am checking on the claim information .

14 Sep - 2:10 PM



Regarding the overpayment I am not seeing that they have reached a determination yet.

14 Sep - 2:21 PM



And the incorrect statement that I withdrew my claim, which triggered a massive overpayment?

14 Sep - 2:22 PM



I want to say it's a part of their process in trying to provide the waiver.





I want to say it's a part of their process in trying to provide the waiver.

14 Sep - 2:24 PM



I am going to double-check on that, however, one moment.

14 Sep - 2:24 PM

Thanks



14 Sep - 2:24 PM



Yeah, no problem.

14 Sep - 2:25 PM

Hi, I'm sorry. We've been connected for an hour. Do you have an answer for me, because I have to go.



14 Sep - 2:36 PM

Hello?



14 Sep - 3:25 PM

Am I being ghosted?



14 Sep - 3:32 PM

Type your questions here

